

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:14-CR-00079-F-3

No. 5:16-CV-00830-F

ADAM JOSEPH BARFIELD,)	
Petitioner,)	
)	
v.)	<u>ORDER</u>
)	
UNITED STATES OF AMERICA,)	
Respondent.)	

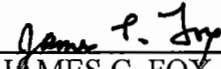
This matter is before the court on Adam Joseph Barfield's letter motion [DE-459] addressed to the undersigned. In his motion, Barfield contends that he has repeatedly requested the discovery in his case from his attorney, Daniel Micah Blau, but Blau has consistently provided excuses why he cannot turn over the discovery. *Id.* Barfield alleges that he needs the discovery to pursue his pending § 2255 motion. *Id.*

"A habeas petitioner, unlike the usual civil litigant in federal court, is not entitled to discovery as a matter of ordinary course." *Bracy v. Gramley*, 520 U.S. 899, 904 (1997). Pursuant to Rule 6(a) of the Rules Governing Section 2255 Proceedings, "[a] judge may, for good cause, authorize a party to conduct discovery."

The court finds that "good cause" has been shown. Therefore, to the extent the Bureau of Prisons will permit Barfield to have the discovery and to the extent it is still in Blau's possession, he is DIRECTED to send the discovery materials to Barfield. Accordingly, Barfield's letter motion [DE-459] is ALLOWED.

SO ORDERED.

This 2 day of November 2016.



JAMES C. FOX

SENIOR UNITED STATES DISTRICT JUDGE